

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DERRICK U. STRICKLIN,

Petitioner,

vs.

DIANE SABATKA-RINE,

Respondent.

8:22CV279

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's "Motion for Extension of Time to Reply to Respondent's Response to Petition" (the "Motion"), [Filing No. 15](#), apparently filed in response to the Court's February 22, 2023, text order granting Respondent through March 20, 2022, to file her answer and supporting brief, Filing No. 14 (text order). In his Motion Petitioner seeks an "extra 45 days" to file his "reply to the response submitted by the respondent to the Petition." [Filing No. 15 at 1](#).

To date Respondent has not filed a response, and per this Court's Order setting forth the briefing schedule in this matter, Petitioner's response is not due until 30 days *after Respondent's brief is filed*. [Filing No. 7 at 6](#) (emphasis added). As such, because Respondent has not yet filed its brief, no response is due from the Petitioner, rendering Petitioner's Motion as untimely.

Upon consideration,

IT IS ORDERED that:

Plaintiff's Motion, [Filing No. 15](#), is **DENIED** without prejudice as premature. If, after Respondent has filed her brief in response, Plaintiff requires additional time to file his response, he may reassert a motion for extension at that time.

Dated this 28th day of February, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge